

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DM SYSTEMS, INC.)	
)	CASE NO.: 07cv6552
Plaintiff,)	
)	JUDGE KENDALL
-vs-)	
)	MAGISTRATE JUDGE COLE
DeROYAL INDUSTRIES, INC.)	
)	
Defendant)	
)	

NOTICE OF DISCOVERY DEPOSITION

TO: DeRoyal Industries, Inc.
c/o Autry O.V. Debusk, Registered Agent
200 Debusk Lane
Powell, TN 37849

DEPONENT: DeRoyal Industries, Inc.
200 Debusk Lane
Powell, TN 37849

You are hereby notified that the undersigned will take the deposition of the above-named deponent by stenographic means before a Notary Public or any other duly authorized officer in the City of Chicago on:

DATE: January 9, 2008	TIME: 10:00 a.m.
ADDRESS: 330 N. Wabash	SUITE: 3300
Chicago, Illinois	

You are hereby further notified pursuant to Rule 30(B)(6) of the Federal Rules of Civil Procedure that you are by this Notice required to have present at the date, time and place stated the said deponent for oral examination for the purpose of discovery.

Pursuant to Rule 30(B)(6), Defendant shall produce one or more of its proper officers, employees, agents, or other person duly authorized to testify on its behalf. The person so designated shall have knowledge of and testify as to the following matters:

1. The general operations, financials, business relationships, and state of affairs of Defendant.

2. The contentions in the Complaint in this case.
3. Defendant's product named "HEEL BOOST," including design, manufacture, marketing, and sales of said product.
4. All sales of Defendant's product named "HEEL BOOST."
5. The basis for Defendant selecting the name "HEEL BOOST."
6. Any confusion between Plaintiff's product "HEELIFT" and Defendant's product "HEEL BOOST."
7. Defendant's responses to Plaintiff's First Set of Interrogatories, Request for Production of Documents, and Request for Admissions.
8. The design process for "HEEL BOOST."
9. Involvement of Fortunique, Inc. in the design, development and manufacture of "HEEL BOOST."
10. Color selection for the foam and straps.
11. Advertising insert and choice of language.

No subpoena(s) will be served upon the witness(s). Should the witness(s) fail to appear at the above-specified time and place, a request for sanctions will be made in accordance with Rule 37(D) of the Federal Rules of Civil Procedure.

/s/ P. Stephen Fardy
One of the Attorneys for
DM Systems, Inc.

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